

REMARKS/ARGUMENTS

As a preliminary matter, Applicants note that the Restriction Requirement indicates Leydig Voit and Mayer, Ltd, as the addressee. Applicants respectfully point out that a Revocation and Power of Attorney was filed in this matter on October 24, 2002. Power of attorney was assigned to Merchant & Gould therein, and all previous powers of attorney were revoked therein. Applicants respectfully request that all future correspondence in this matter be directed to Merchant & Gould.

Turning to the content of the Restriction Requirement, the claims of the present invention are characterized therein as being directed to the following patentably distinct species:

Species I:

Figure 1 or Figure 2 or Figure 3 or Figure 4 or Figure 5

in combination with

Species II:

Figure 6 or Figure 7 or Figure 8 or Figure 9 or Figure 10.

Applicants herein elect Figure 2 in combination with Figure 6, with traverse. Applicants believe that claims 1-4 and 9-50 read on the elected species.

Applicants respectfully point out that Figures 1 and 2 show two different views of one embodiment of the present invention. Likewise, Figures 3 and 4 show two different views of another embodiment of the present invention. Applicants reference page 5, paragraphs 0015 through 0017 of the specification, which disclose these relationships.

Figure 1 shows an embodiment of a carbon monoxide gas sensor and/or generator prior to crimping, while Figure 2 shows the sensor and/or generator of Figure 1 after crimping. Thus,

Figures 1 and 2 show two stages of construction of the same embodiment. Applicants believe that all pending claims that read on Figure 1 also read on Figure 2, and *vice versa*.

Similarly, Figures 3 and 4 show two stages of construction one embodiment of the present invention, and Applicants believe that all pending claims that read on Figure 3 also read on Figure 4, and *vice versa*.

Applicants therefore respectfully submit that Figures 1 and 2 do not show two separate species, and that Figures 3 and 4 likewise do not show two separate species. Reconsideration and withdrawal of that portion of the restriction requirement is respectfully requested.

Applicants do not state or suggest that the various species of the present invention as identified in the Restriction Requirement are not patentably distinct, and the above discussion should not be interpreted as such. Rather, Applicants respectfully point out that some of the figures referred to in the Office Action as representing two different species actually show two different views of the same species.

Applicants believe that claims 1-4, 12-24, 40, and 43-50 are generic to all of the species identified in the Restriction Requirement.

In addition, Applicants believe that claims 9-11, 25-39, 41, and 42 read on Figure 2 in combination with Figure 6, the species associated therewith being elected herein. Should Figures 1 and 2 be considered to represent a single species as argued herein, Applicants believe that claims 9-11, 25-39, 41, and 42 similarly would read on Figures 1/2 in combination with Figure 6.

Applicants do not concede that claims 9-11, 25-39, 41, and 42 necessarily read only on the elected species.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact the undersigned at (612) 336-4789, or Applicants' primary attorney of record, Michael D. Schumann (Reg. No. 30,422) at (612) 336-4638.

Respectfully submitted,

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